

40290-0009

Serial No.: 10/622,183

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application: Daniel S.J. Choy

Application No.: 10/622,183

Filed: July 16, 2003

Title: "Method and Apparatus for Treatment
of Mono-Frequency Tinnitus Utilizing
Sound Wave Cancellation Techniques"

Examiner: SMITH, Fangemonique A.

Group Art Unit: 3736

Confirmation No.: 2235

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SEP 07 2007

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated **March 7, 2007**, rejecting the following claims **41-54**.

(X) The fee for this Notice of Appeal is (37 CFR 1.17(b)) **\$250.00**.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(X) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

- () one month \$60.00
- () two months \$225.00
- (X) three months \$510.00
- () four months \$795.00

() The extension fee has already been filed in this application.

() (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

(X) Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown is reduced by half.

Please charge to Deposit Account **18-0013/40290-0009** the sum of **\$760.00**. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account **18-0013/40290-0009** pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account **18-0013/40290-0009** under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being transmitted to the US Patent and Trademark Office via facsimile number **(571) 273-8300** on **September 7, 2007**

Number of pages transmitted: **5**

Signature: 

Rebecca R. Schow

Respectfully submitted,

By: 

Steven L. Nichols (Reg. No.: 40,326)
Attorney/Agent for Applicant(s)
Telephone No.: (801) 572-8066
Date: September 7, 2007

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